IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition No.8548 of 2006

Sanjay Anandrao Ghatage .. Petitioner
vs
Shri Chatrapati Shahu Sahakari
Sakhar Karkhana Ltd and Ors. .. Respondents.

Mr.V.A. Thorat senior advocate with Mr. M.L.Patil
with Mr. T.S.Ingale with Umesh Mankapure for the petitioner.
Mr. V.R. Rajure for respondent no. 1.
Mr. Rui Rodriques i/b T.C. Kaushik for respondent no. 2
Mr. Y.S.Jahagirdar senior advocate with Mr. Amit Borkar for respondent Nos.4 and 5.

CORAM: H. S. BEDI C.J. ,&
V.M.KANADE, J.
DATE: January 8, 2007.

P.C.:-

Leave granted to amend the petition.

Heard the learned counsel for the parties at length. We are of the opinion that the remedy by way of election petition is available to the petitioner since disputed questions of facts have been raised in the petition. We accordingly relegate the petitioner to that remedy. However, we make it clear that all contentions that have been raised and canvassed by the parties are left open for decision in the election petition.

Petition accordingly stands disposed of.

Parties to act on the authenticated copy of this order.

CHIEF JUSTICE

V.M.KANADE J.